

OFFICE OF THE GENERAL COUNSEL

REVISED FY 2000 AND FY 2001 ANNUAL PERFORMANCE PLANS

OGC was established in 1910, (70 Stat. 742) as the law office of the Department of Agriculture. The mission of OGC is to provide legal services necessary to support activities of the USDA. OGC provides legal services primarily to the Secretary of Agriculture and officials at all levels of USDA as well as members of Congress concerning the programs and activities carried out by USDA. All legal services are centralized within OGC and the General Counsel reports directly to the Secretary.

The Office of the General Counsel will provide legal services in a responsive manner to USDA officials, executive branch officials and members of Congress. In this time of diminishing resources, OGC will work closely with officials of the Department to ensure that the priorities of OGC reflect those of the Secretary. OGC will increase its efficiency by making improvements in computer systems and information management processes.

More information regarding OGC's programs can be found in the OGC Strategic Plan.

Goal 1: OGC will provide effective legal services in a responsive manner to support USDA activities, consistent with the priorities established by the Secretary of Agriculture.

Objective 1: OGC will review for legal sufficiency, draft regulations submitted by USDA agencies and advise the appropriate USDA officials of the results of the review.

Objective 2: OGC will draft and conduct a legal review of documents as requested by USDA and Executive Branch officials.

Objective 3: OGC will conduct litigation on behalf of USDA officials and will provide litigation support services to the Department of Justice in cases arising out of USDA programs and activities.

Objective 4: OGC will draft legislation and review for legal sufficiency legislative reports and testimony as requested by USDA officials.

Objective 5: OGC will provide counseling to USDA officials concerning issues arising out of USDA programs and activities.

Objective 6: OGC will create a Civil Rights unit within OGC which will provide legal services to support the Department's Civil Rights Program.

Program Activity: Office of the General Counsel

	FY 1998 Actual	FY 1999 Actual	FY 2000 Estimate	FY 2001 Estimate
Funding (in thousands of dollars)	\$28,759	\$29,194	\$32,118	\$35,995
FTEs	340	339	350	370

PERFORMANCE GOAL AND INDICATORS	FY 1998 Actual	FY 1999 Actual	FY 2000 Target	FY 2001 Target
OGC provided effective, responsive legal services especially with respect to priority matters.	N/A	Yes	Yes	Yes
Number of regulation reviewed.	2,320	2,340	2,340	2,340
Number of documents/ correspondence reviewed.	49,000	49,000	49,000	49,000
Number of cases handled.	17,000	17,000	17,000	17,000
Number of legislation, legislative reports and testimony reviewed or drafted.	1,200	1,250	1,300	1,300
Number of oral opinions provided.	83,000	83,000	83,000	83,000
Established Civil Rights Unit.	N/A	N/A	N/A	N/A

Discussion of Performance Goals: The accomplishment of OGC's performance goals support the achievement of all of USDA's strategic goals. Any meaningful measure of OGC's performance must include a focus on both effectiveness and responsiveness. OGC must provide legal services in a responsive manner in order to ensure that agency officials can implement their programs. The legal services provided by OGC must also be effective, and in order to be effective, OGC must provide well-informed, high quality legal advice. Our focus will be weighted to the items designated as priority matters. All legal services may be necessary, but not all relate to issues of similar importance. The Civil Rights Division was established during fiscal year 1997.

Means and Strategies: In order to carry out the requirements of this plan, OGC has requested an increase in resources to ensure that agency officials are receiving effective, responsive legal services for all essential agency activities. The additional staff years would be used to hire legal and support staff to meet the demands for legal services generated by the Department, especially as it relates to the Civil Rights Division. Personnel in OGC must be better supported so that they can operate in a maximally efficient manner. This amount includes funds necessary to hire additional staff, support and maintain current staff and improve computer and information systems. Improving the ability to communicate with each other and with agencies outside of the Department would improve the efficiency in OGC. One of the most critical external factors affecting the success of OGC in achieving its performance goals is adequate funding levels. Another factor is the number of unforeseen demands for significant legal services. The more careful prioritizing of legal services will improve OGC's ability to effectively ration legal services. These demands often arise with little advance warning but require OGC to provide immediate advice and/or litigation services.

Verification and Validation: An internal agency database will be used to track output measures. However, it is important to recognize that the tracking procedures used to develop the funding and FTE numbers in this performance plan are approximate. As stated in the management section of the plan, OGC

hopes to improve, over time, the precision of these estimates. Informal feedback and periodic consultations with agency officials will be used in order to determine how agency officials view OGC responsiveness and effectiveness.

Management Initiative #1: OGC will develop and promote a more productive and diverse workforce.

Program Activity: Office of the General Counsel

	FY 1998 Actual	FY 1999 Actual	FY 2000 Estimate	FY 2001 Estimate
Funding	Funds and staff years are included in the cost of Objective 1-6			
FTEs				

PERFORMANCE GOAL AND INDICATORS	FY 1998 Actual	FY 1999 Actual	FY 2000 Target	FY 2001 Target
Improve communications and technology management.				
Percentage of OGC employees that have Internet access.	0	85%	95%	100%
Implement work tracking system.	N/A	Yes	Yes	Yes

Discussion of Performance Goal: The achievement of the above performance goal supports USDA's initiative to create a unified system of IT management. In order to improve the responsive of the office, personnel in OGC must be better supported so that they can operate in a maximally efficient manner. OGC plans to continue with the nationwide staged implementation of a centralized work tracking system. Improving the ability of members of the office to communicate with each other and with agencies outside of OGC and outside of the Department will improve efficiency of the office. OGC will provide an effective information system that allows OGC to share information through reliable and technically sound systems and implement a centralized tracking system throughout the office for correspondence, archiving, and database management.

Means and Strategies: Resources necessary to accomplish this initiative have been included in objectives 1-6. OGC will consider the feasibility of linking existing local area networks into one wide area networks. The performance goal will be accomplished through the acquisition of computers, communications equipment, and training.

Verification and Validation: Increases in the number of personnel able to access the Internet and the number of personnel able to use the work tracking system for correspondence, archiving and database management will be used to track performance goals.

	FY 1998 Actual	FY 1999 Actual	FY 2000 Estimate	FY 2001 Estimate
Funding	Funds and staff years are included in the cost of Objective 1-6			
FTEs				

PERFORMANCE GOAL AND INDICATORS	FY 1998 Actual	FY 1999 Actual	FY 2000 Target	FY 2001 Target
Promote workforce diversity: Conduct an outreach program regarding employment opportunities to minority law students. Percent of OGC managers who receive training on diversity in the work force.	No 75%	Yes 85%	Yes 95%	Yes 98%

Discussion of Performance Goals: The achievement of this performance goal supports the USDA initiative to ensure that all customers and employees are treated equally and fairly, with dignity and respect. Fair and equal opportunity for employment is achieved by conducting an outreach program aimed at ensuring that public announcements by OGC concerning employment opportunities are circulated to minority law student associations and other minority professional legal organizations. OGC has established and will continue to conduct a comprehensive training program for managers on diversity in the workforce.

Means and Strategies: Resources necessary to accomplish this initiative have been included in objectives 1-6. The performance goal will be accomplished through intense training on managing a diverse workforce and recruitment efforts designed to reach a targeted array of law students.

Verification and Validation: Diversity in personnel composition and diversity in the workforce training modules on the Internet will be used to track performance goals.

SUMMARY OF RESOURCES FOR FY 2000 (Dollars in Thousands)		
	GOAL 1	TOTAL
Legal Services	\$32,118 350 FTEs	\$32,118 350 FTEs
TOTAL	\$32,118 350 FTEs	\$32,118 350 FTEs

SUMMARY OF RESOURCES FOR FY 2001 (Dollars in Thousands)		
	GOAL 1	TOTAL
Legal Services	\$35,995 370 FTEs	\$35,995 370 FTEs
TOTAL	\$35,995 370 FTEs	\$35,995 370 FTEs

Total resources include amounts for appropriated, hazardous waste management, and reimbursements.